

IC 15-5-1.1

Chapter 1.1. Indiana Veterinary Practice

IC 15-5-1.1-1

Preamble

Sec. 1. Preamble. This chapter is an exercise of the police powers of the state to promote the public health, safety, and welfare of the people of this state to safeguard against the incompetent, dishonest, or unprincipled practitioner of veterinary medicine. It is hereby declared that the practice of veterinary medicine is a privilege conferred by legislative grant to persons possessed of the personal and professional qualifications specified in this chapter.

As added by Acts 1979, P.L.146, SEC.1.

IC 15-5-1.1-2

Definitions

Sec. 2. As used in this chapter:

"Accredited college of veterinary medicine" means a veterinary college or division of a university or college that:

- (1) offers the degree doctor of veterinary medicine or its equivalent;
- (2) conforms to the standards required for accreditation by the American Veterinary Medical Association; and
- (3) is accredited by the American Veterinary Medical Association or an accrediting agency that has been approved by the United States Department of Education or its successor.

"Animal" means any animal other than man and includes birds, fish, mammals, and reptiles, wild or domestic.

"Approved program" means a program in veterinary technology that:

- (1) conforms to the standards required for accreditation by the American Veterinary Medical Association; and
- (2) is accredited by the American Veterinary Medical Association or an accrediting agency that has been approved by the United States Department of Education or its successor.

"Board" means the Indiana board of veterinary medical examiners created by this chapter.

"Bureau" refers to the health professions bureau established by IC 25-1-5-3.

"ECFVG certificate" means a certificate issued by the American Veterinary Medical Association Educational Commission for Foreign Veterinary Graduates, indicating that the holder has demonstrated knowledge and skill equivalent to that possessed by a graduate of an accredited college of veterinary medicine.

"Extern" means a senior veterinary student enrolled in an accredited college of veterinary medicine, or a second year student enrolled in an approved program in veterinary technology, employed by or working with a licensed veterinarian and under his direct supervision.

"Licensed veterinarian" means an individual who is licensed

pursuant to this chapter to practice veterinary medicine in this state.

"Person" means an individual, an incorporated or unincorporated organization or association or a group of such persons acting in concert.

"Practice of veterinary medicine" means:

- (1) representing oneself as engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry in any of its branches or using words, letters, or titles in a connection or under circumstances that may induce another person to believe that the person using them is engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry;
- (2) accepting remuneration for doing any of the things described in subdivisions (3) through (6);
- (3) diagnosing a specific disease or injury, or identifying and describing a disease process of animals, or performing any procedure for the diagnosis of pregnancy, sterility, or infertility upon animals;
- (4) prescribing a drug, medicine, appliance or application, or treatment of whatever nature for the prevention, cure, or relief of bodily injury or disease of animals;
- (5) performing a surgical or dental operation upon an animal; or
- (6) administering a drug, medicine, appliance, application, or treatment of whatever nature for the prevention, cure, or relief of a wound, fracture, or bodily injury or disease of animals, except where such drug, medicine, appliance, application, or treatment is administered at the direction and under the direct supervision of a veterinarian licensed under this chapter.

"Registered veterinary technician" means a veterinary technician registered pursuant to this chapter to work under the direct supervision of a licensed veterinarian.

"Veterinarian" means an individual who was a licensed veterinarian on August 31, 1979, or who has received a professional degree from an accredited college of veterinary medicine.

"Veterinary medicine" includes veterinary surgery, obstetrics, dentistry, acupuncture, and all other branches or specialties of veterinary medicine.

"Veterinary technician" means an individual who has successfully completed a program in veterinary technology of at least two (2) years in a school that conforms to the standards required for accreditation by the American Veterinary Medical Association and that is accredited by the American Veterinary Medical Association. *As added by Acts 1979, P.L.146, SEC.1. Amended by Acts 1982, P.L.113, SEC.1; P.L.169-1985, SEC.1; P.L.71-2000, SEC.1.*

IC 15-5-1.1-3

Board of veterinary medical examiners

Sec. 3. (a) The Indiana board of veterinary medical examiners is created.

(b) The board shall consist of six (6) members appointed by the governor from the districts described in this chapter. One (1) of the

members shall be appointed to represent the general public. Not more than one (1) veterinarian member may be domiciled in the same district and not more than four (4) members may be affiliated with the same political party. In the event of a vacancy, the governor shall appoint a successor to complete the unexpired term.

(c) The term of each member of the board is four (4) years beginning on September 1 of the appropriate year. Each member shall serve until his successor is appointed and qualified. Members of the board may be appointed for more than one (1) term, but no person may be a member of the board for more than eight (8) years out of any twelve (12) year period.

(d) The terms of the board members expire as follows:

(1) The term of the member from the first district expires on August 31, 1980, and every four (4) years thereafter.

(2) The term of the member from the second district expires on August 31, 1981, and every four (4) years thereafter.

(3) The term of the member from the third district expires on August 31, 1982, and every four (4) years thereafter.

(4) The term of the member from the fourth district expires on August 31, 1983, and every four (4) years thereafter.

(5) The term of the member from the fifth district expires on August 31, 1980, and every four (4) years thereafter.

(6) The term of the member appointed to represent the general public expires on August 31, 1985, and every four (4) years thereafter.

As added by Acts 1979, P.L.146, SEC.1. Amended by Acts 1981, P.L.222, SEC.9; P.L.169-1985, SEC.2.

IC 15-5-1.1-4

Description of districts

Sec. 4. Description of Districts. District 1 is composed of the following counties: Clay, Crawford, Daviess, Dubois, Fountain, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Montgomery, Morgan, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spencer, Sullivan, Tippecanoe, Vanderburgh, Vermillion, Vigo, Warren, and Warrick.

District 2 is composed of the following counties: Bartholomew, Brown, Clark, Dearborn, Decatur, Delaware, Fayette, Floyd, Franklin, Hancock, Harrison, Henry, Jackson, Jefferson, Jennings, Johnson, Madison, Ohio, Randolph, Ripley, Rush, Scott, Shelby, Switzerland, Union, Washington, and Wayne.

District 3 is composed of the following counties: Boone, Clinton, Hamilton, Hendricks, Howard, Marion, and Tipton.

District 4 is composed of the following counties: Lake, LaPorte, Marshall, Porter, St. Joseph, and Starke.

District 5 is composed of the following counties: Adams, Allen, Benton, Blackford, Carroll, Cass, DeKalb, Elkhart, Fulton, Grant, Huntington, Jasper, Jay, Kosciusko, LaGrange, Miami, Newton, Noble, Pulaski, Steuben, Wabash, Wells, White, and Whitley.

As added by Acts 1979, P.L.146, SEC.1.

IC 15-5-1.1-5

Eligibility of board members

Sec. 5. Eligibility of Board Members. (a) Each member of the board must have been a resident of the state for at least five (5) years continuously prior to his appointment and must have been a licensed veterinarian in the private practice of veterinary medicine in the state for at least three (3) of those years.

(b) Each member of the board must be a graduate of a school or college of veterinary medicine generally recognized as approved, according to the prevailing standard for such recognition at the time of his graduation.

(c) Each member of the board must be a person of good reputation within the profession and within the community in which he resides.

(d) No member of the board may be an officer, director, or employee in any manufacturing, wholesaling or retail enterprise dealing in drugs, supplies, instruments, or equipment used or useful in the practice of veterinary medicine which might constitute or tend to create a conflict of interest between his business association and membership on the board.

(e) No member of the board may be a member of the faculty, board of trustees, or advisory board of a school of veterinary medicine or school of veterinary technology.

(f) Notwithstanding the other provisions of this section, one (1) member of the board, appointed to represent the general public, must be a resident of this state who has never been associated with veterinary medicine in any way other than as a consumer.

As added by Acts 1979, P.L.146, SEC.1. Amended by Acts 1981, P.L.222, SEC.10.

IC 15-5-1.1-6

Meetings

Sec. 6. (a) The board shall hold an annual meeting in Indianapolis and other regular meetings during each year and at such places as it may fix.

(b) The board may hold such special meetings as it deems necessary. The chairman or two (2) members of the board may call a special meeting.

(c) Four (4) members of the board constitute a quorum.

(d) All meetings shall be open and public except that the board may meet in closed session to prepare, approve, administer, or grade examinations, or to deliberate the qualifications of an applicant for license or registration or the disposition of a proceeding to discipline a licensed veterinarian or registered veterinary technician.

(e) Minutes of each regular and special meeting shall be compiled and kept as a permanent record in the same office as other records of the board are kept. The responsibility for the care and safekeeping of such minutes shall devolve upon the bureau.

(f) Each member of the board is entitled to reimbursement for traveling and other expenses as provided in the state travel policies and procedures established by the department of administration and

approved by the state budget agency.

As added by Acts 1979, P.L.146, SEC.1. Amended by Acts 1982, P.L.113, SEC.2; P.L.169-1985, SEC.3.

IC 15-5-1.1-7

Officers; duties of bureau

Sec. 7. (a) At its annual meeting the board shall elect a chairman and vice chairman and such other officers as it may determine. Such officers shall serve for terms of one (1) year or until a successor is elected. There is no limitation on the number of terms an officer may serve.

(b) The state veterinarian shall be the technical advisor of the board.

(c) The duties of the bureau include:

- (1) corresponding for the board;
- (2) keeping accounts and records of all receipts and disbursements by the board;
- (3) keeping records of all applications for license or registration;
- (4) keeping a register of all persons currently licensed or registered by the board; and
- (5) keeping permanent records of all board proceedings.

As added by Acts 1979, P.L.146, SEC.1. Amended by Acts 1982, P.L.113, SEC.3; P.L.169-1985, SEC.4; P.L.149-1987, SEC.2.

IC 15-5-1.1-8

Powers

Sec. 8. (a) The powers enumerated in this section are granted for the purpose of enabling the board to effectively supervise the practice of veterinary medicine and are to be construed liberally to accomplish this objective.

(b) The board is vested with the sole authority to determine the qualifications of applicants for:

- (1) a license to practice veterinary medicine in this state; and
- (2) registration to practice as a veterinary technician in this state.

(c) The board is vested with the sole authority to issue, renew, deny, suspend, or revoke:

- (1) licenses and special permits to practice veterinary medicine in this state; and
- (2) registrations or special permits to practice as a veterinary technician in this state.

(d) The board is vested with sole authority to discipline licensed veterinarians and registered veterinary technicians consistent with the provisions of this chapter and the rules adopted thereunder.

(e) The board is vested with the sole authority to determine the following:

- (1) The examinations applicants are required to take.
- (2) The subjects to be covered.
- (3) The places where and the dates on which examinations will

be given.

(4) The deadlines for applying to take the examinations.

(f) The board may establish by rule minimum standards of continuing education for the renewal of licenses to practice veterinary medicine and for the renewal of registrations as a veterinary technician. The rules adopted under this subsection must comply with IC 25-1-4-3.

(g) The board shall adopt by rule standards of professional conduct for the competent practice of veterinary medicine and the competent practice of a veterinary technician.

(h) Subject to IC 25-1-7, the board may conduct investigations for the purpose of discovering violations of this chapter:

(1) by licensed veterinarians or registered veterinary technicians; or

(2) by persons practicing veterinary medicine without a license or persons practicing as a registered veterinary technician without being registered.

(i) The board may inspect, without notice and during normal working hours, veterinary hospitals, clinics, or other establishments to determine if such places meet the board's standards of cleanliness and sanitation as defined by the board's rules.

(j) The board may hold hearings on all matters properly brought before it and in connection thereto may administer oaths, receive evidence, make findings, and enter orders consistent with the findings. The board may require by subpoena the attendance and testimony of witnesses and the production of papers, records, or other documentary evidence and commission depositions. The board may designate one (1) or more of its members to serve as its hearing officer.

(k) The board may bring proceedings in the courts for the enforcement of this chapter or any rules made pursuant thereto.

(l) The board shall have fees collected for examining and licensing veterinarians and for examining and registering veterinary technicians.

(m) The board may enter into reciprocal agreements with its counterpart boards in other states and may effect such agreements by rule.

(n) The board may appoint from its own membership one (1) or more members to act as representatives of the board at any meeting within or without the state where such representation is deemed desirable.

(o) The bureau shall provide the board with full or part-time professional and clerical personnel and supplies including printed matter and equipment necessary to effectuate the provisions of this chapter.

(p) The board may, in the manner prescribed by IC 4-22-2, adopt such reasonable rules as it deems necessary for the performance of its duties, consistent with this chapter and other applicable laws of this state. Any rule adopted under, and applicable to, the prior veterinarian and veterinary technician licensing and registration laws

(IC 15-5-1 and IC 15-5-1.5) continues in effect under this chapter until rescinded or amended by the board.

(q) The board may adopt an appropriate seal which may be affixed to all license and registration certificates and other official documents of the board.

As added by Acts 1979, P.L.146, SEC.1. Amended by Acts 1981, P.L.222, SEC.11; P.L.169-1985, SEC.5; P.L.71-2000, SEC.2; P.L.269-2001, SEC.1.

IC 15-5-1.1-9

License, permit, and registration requirements; exceptions

Sec. 9. A person may not practice veterinary medicine in Indiana unless the person is licensed as a veterinarian in Indiana or holds a special permit issued by the board, and a person may not act as a veterinary technician in Indiana unless the person is registered as a veterinary technician in Indiana or holds a special permit issued by the board. The following persons are not required to meet the licensing, registration, or special permit requirements under this chapter:

- (1) A veterinarian on the faculty of the School of Veterinary Medicine at Purdue University performing regular duties, or a veterinarian employed by the animal disease diagnostic laboratory performing regular duties.
- (2) A veterinarian employed by a federal, state, or local government agency performing official duties.
- (3) An individual who is a regular student in an accredited college of veterinary medicine or veterinary technology performing duties or actions assigned by instructors or working under the direct supervision of a licensed veterinarian.
- (4) An extern.
- (5) A veterinarian licensed and resident in another state or nation who occasionally consults with a licensed veterinarian.
- (6) The owner of an animal or a regular employee of the owner caring for and treating that animal, except where the ownership of the animal was transferred for purposes of circumventing this chapter.
- (7) A guest lecturing or giving instructions or demonstrations at the School of Veterinary Medicine at Purdue University, or elsewhere, in connection with a continuing education program.
- (8) An individual while engaged in bona fide scientific research which reasonably requires experimentation involving animals.
- (9) A graduate of a foreign college of veterinary medicine who is in the process of obtaining an ECFVG certificate and who is under the direct supervision of a licensed veterinarian.
- (10) A veterinarian who is enrolled in a postgraduate instructional program in an accredited college of veterinary medicine, performing duties or actions assigned by instructors or working under the direct supervision of a licensed veterinarian.

As added by Acts 1979, P.L.146, SEC.1. Amended by P.L.71-2000,

SEC.3.

IC 15-5-1.1-10

Requirements for license as veterinarian

Sec. 10. To become a licensed veterinarian a person must:

- (1) not have a conviction for a crime that has a direct bearing on his ability to practice competently;
- (2) pay the fees required under this chapter;
- (3) have successfully completed a program in veterinary medicine from an accredited college of veterinary medicine; and
- (4) have successfully completed the examinations provided under section 12 of this chapter or qualify for a license without examination under section 13 of this chapter.

However, a person who was licensed as a veterinarian in Indiana on August 31, 1979, is not required to meet the requirements of subdivision (3) or (4).

As added by Acts 1979, P.L.146, SEC.1. Amended by Acts 1981, P.L.222, SEC.12; Acts 1982, P.L.113, SEC.4; P.L.169-1985, SEC.6; P.L.149-1987, SEC.3.

IC 15-5-1.1-10.1 Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 15-5-1.1-11

Application for license to practice veterinary medicine

Sec. 11. (a) As used in this subsection, "term" refers to an academic semester, trimester, or quarter. A person desiring a license to practice veterinary medicine in this state shall make written application to the board. The application shall state that the applicant is:

- (1) a graduate of an accredited college of veterinary medicine; or
- (2) enrolled in the last term of the last year of the veterinary medical curriculum of an accredited school of veterinary medicine.

If the applicant is enrolled as a last term student as described in subdivision (2), a letter from the dean of the student's veterinary school confirming that the applicant is a last term student, attesting to the satisfactory academic standing of the student, and stating the date on which the degree is expected to be conferred upon the student must accompany the application. A license to practice veterinary medicine in Indiana may not be issued until satisfactory proof has been furnished to the board either that the applicant has graduated from an accredited college of veterinary medicine or that the applicant is the holder of an Educational Commission for Foreign Veterinary Graduates (ECFVG) certificate. The application must show such reasonable information and proof as the board may require by rule. The application must be accompanied by the fee in the amount required under this chapter.

(b) When the board determines that the applicant possesses the proper qualifications, the board may grant the applicant a license. If an applicant is found not to be qualified to take the examination or for a license without examination, the executive secretary of the board shall immediately notify the applicant in writing of such finding and the grounds therefore. Applicants found unqualified may request a hearing on the question of their qualifications.

As added by Acts 1979, P.L.146, SEC.1. Amended by Acts 1981, P.L.222, SEC.13; P.L.169-1985, SEC.7; P.L.33-1993, SEC.2; P.L.71-2000, SEC.4.

IC 15-5-1.1-12

Examinations

Sec. 12. (a) The board shall hold at least one (1) examination for licensing veterinarians and one (1) examination for registering veterinary technicians each year but it may hold more. The bureau shall give notice of the time and place for each examination at least ninety (90) days in advance of the date set for the examination. A person desiring to take an examination must make application not later than the time the board may prescribe under section 8(e) of this chapter.

(b) The preparation, administration, and grading of examinations shall be approved by the board. Examinations shall be designed to test the examinee's knowledge of and proficiency in the subjects and techniques commonly taught in veterinary schools. To pass the examination, the examinee must demonstrate scientific and practical knowledge sufficient to prove to the board that the examinee is competent to practice veterinary medicine or to act as a veterinary technician, as the case may be. The board may adopt and use examinations approved by the National Board Examination Committee.

(c) To qualify for a license as a veterinarian or to be registered as a veterinary technician, the applicant must attain a passing score in the examinations.

(d) After the examinations, the bureau shall notify each examinee of the result of the examinee's examinations and the board shall issue a license or registration certificate, as appropriate, to each individual who successfully completes the examinations and is otherwise qualified. The bureau shall keep a permanent record of the issuance of each license or registration certificate.

(e) An individual who fails to pass the required examinations may apply to take a subsequent examination. However, payment of the examination fee shall not be waived.

(f) A license or registration certificate issued under this article is valid for the remainder of the renewal period in effect on the date of issuance.

As added by Acts 1979, P.L.146, SEC.1. Amended by Acts 1981, P.L.162, SEC.1; P.L.169-1985, SEC.8; P.L.149-1987, SEC.5; P.L.48-1991, SEC.2; P.L.33-1993, SEC.3; P.L.71-2000, SEC.5.

IC 15-5-1.1-13

License without examination

Sec. 13. The board may issue a license without an examination to a qualified applicant who:

- (1) furnishes satisfactory proof that the applicant is a graduate of an accredited college of veterinary medicine or holds an Educational Commission for Foreign Veterinary Graduates (ECFVG) certificate;
- (2) for the five (5) years immediately preceding filing an application has been a practicing veterinarian licensed in a state, territory, or district of the United States having license requirements which are substantially equivalent to the requirements of this chapter; and
- (3) otherwise meets the requirements of this chapter.

As added by Acts 1979, P.L.146, SEC.1. Amended by Acts 1981, P.L.162, SEC.2; P.L.169-1985, SEC.9; P.L.149-1987, SEC.6; P.L.48-1991, SEC.3; P.L.33-1993, SEC.4.

IC 15-5-1.1-14

Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 15-5-1.1-15

Veterinary technician; requirements for registration

Sec. 15. To become a registered veterinary technician, a person must:

- (1) not have a conviction for a crime that has a direct bearing on the person's ability to practice competently;
- (2) pay the fees required under this chapter in an amount established by the board by rule;
- (3) have attained the age of eighteen (18) years;
- (4) have successfully completed four (4) years of high school education or an acceptable equivalent;
- (5) have either successfully completed an approved program of veterinary technology or have been a registered veterinary technician on August 31, 1981; and
- (6) show that the person has the necessary knowledge and skills to be a registered veterinary technician, demonstrated by successfully passing the required examinations.

As added by Acts 1979, P.L.146, SEC.1. Amended by Acts 1981, P.L.222, SEC.14; Acts 1982, P.L.113, SEC.5; P.L.169-1985, SEC.10; P.L.149-1987, SEC.7; P.L.33-1993, SEC.5.

IC 15-5-1.1-15.1

Veterinary technicians; refusal to issue registration; issuance of probationary registration; conditions

Sec. 15.1. (a) The board may refuse to issue a registration or may issue a probationary registration to an applicant for registration as a veterinary technician under this chapter if:

- (1) the applicant has been disciplined by a licensing entity of

another state or jurisdiction; and

(2) the violation for which the applicant was disciplined has a direct bearing on the applicant's ability to competently practice as a veterinary technician in Indiana.

(b) Whenever issuing a probationary registration under this section, the board may impose any or a combination of the following conditions:

(1) Report regularly to the board upon the matters that are the basis of the discipline of the other state or jurisdiction.

(2) Limit practice to those areas prescribed by the board.

(3) Continue or renew professional education.

(4) Engage in community restitution or service without compensation for a number of hours specified by the board.

(c) The board shall remove any limitations placed on a probationary registration issued under this section if the board finds after a hearing that the deficiency that required disciplinary action has been remedied.

(d) This section does not apply to an individual who currently holds a registration certificate under this chapter.

As added by P.L.149-1987, SEC.8. Amended by P.L.32-2000, SEC.9.

IC 15-5-1.1-15.4

Registration without examination

Sec. 15.4. The board may issue a registration without an examination to a qualified applicant who:

(1) furnishes satisfactory proof that the applicant has successfully completed an approved program of veterinary technology;

(2) for the five (5) years immediately preceding filing an application has been acting as a registered veterinary technician in a state, territory, or district of the United States having registration requirements which are substantially equivalent to the requirements of this chapter; and

(3) otherwise meets the requirements of this chapter.

As added by Acts 1981, P.L.162, SEC.3. Amended by P.L.169-1985, SEC.11; P.L.149-1987, SEC.9; P.L.48-1991, SEC.5; P.L.33-1993, SEC.6.

IC 15-5-1.1-15.6

Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 15-5-1.1-16

Veterinary technician; application for registration

Sec. 16. An applicant for registration as a registered veterinary technician shall complete an application form prescribed by the board. Each application shall be accompanied by the required registration fee and such other material as the board may require by rule. Each applicant shall furnish proof to the board that the applicant meets the requirements of a registered veterinary technician provided

in this chapter.

As added by Acts 1979, P.L.146, SEC.1. Amended by P.L.33-1993, SEC.7.

IC 15-5-1.1-17

License renewal

Sec. 17. (a) A license issued under this chapter is valid until the next renewal date described under subsection (b).

(b) All licenses expire on October 15 in each odd-numbered year, but may be renewed by application to the board and payment of the proper renewal fee. In accordance with IC 25-1-5-4(c), the bureau shall mail a sixty (60) day notice of expiration to each licensed veterinarian and provide the veterinarian with a form for renewal. The bureau shall issue a license renewal to each individual licensed under this chapter if the proper fee has been received and all other requirements for renewal of the license have been satisfied. Failure to renew a license on or before the expiration date automatically renders the license invalid without any action by the board.

As added by Acts 1979, P.L.146, SEC.1. Amended by P.L.169-1985, SEC.12; P.L.149-1987, SEC.10; P.L.48-1991, SEC.7.

IC 15-5-1.1-18

Registration certificate renewal

Sec. 18. (a) A registration certificate issued under this chapter is valid until the next renewal date described under subsection (b).

(b) All registration certificates expire on January 1 of each even-numbered year, but may be renewed by application to the board and payment of the proper renewal fee. In accordance with IC 25-1-5-4(c), the bureau shall mail a sixty (60) day notice of expiration to each registered veterinary technician and provide the veterinary technician with a form for renewal. The bureau shall issue a registration certificate renewal to each individual registered under this chapter, provided the proper fee has been received and all other requirements for renewal of the registration certificate have been satisfied. Failure to renew a registration certificate on or before the expiration date automatically renders the license invalid without any action by the board.

As added by Acts 1979, P.L.146, SEC.1. Amended by P.L.169-1985, SEC.13; P.L.149-1987, SEC.11; P.L.3-1990, SEC.60; P.L.48-1991, SEC.8.

IC 15-5-1.1-19

License or registration expiration; violation; renewal; inactive status

Sec. 19. (a) An individual who practices veterinary medicine after the individual's license has expired, been revoked, or been placed on inactive status or an individual who acts as a registered veterinary technician after the individual's registration has expired, been revoked, or been placed on inactive status is in violation of this chapter.

(b) A veterinarian may renew an expired license or a veterinary technician may renew an expired registration certificate within five (5) years of the date of expiration by making written application for renewal and paying the fee established by rules as provided in section 20.2 of this chapter. After five (5) years have elapsed since the date of the expiration of a license or a registration certificate it may not be renewed, but the person may make application for a new license or registration certificate and take the appropriate examinations.

(c) To have a license or registration placed on inactive status, a licensed veterinarian or registered veterinarian technician must notify the board in writing of the veterinarian's or technician's desire to have the license or registration placed on inactive status. The board shall waive the continuing education requirements, if any, and payment of the renewal fee during the period the board places the license or registration of a veterinarian or technician on inactive status. A license or registration may be placed on inactive status during the period:

- (1) the veterinarian or technician is on active duty with any branch of the armed services of the United States;
- (2) the veterinarian or technician is in the Peace Corps;
- (3) the veterinarian or technician is in an alternative service during a time of national emergency;
- (4) the veterinarian or technician is suffering from a severe medical condition that would prevent the veterinarian or technician from meeting the requirements of the board; or
- (5) after the veterinarian or technician retires.

A veterinarian or technician who is retired and on inactive status may not maintain an office or otherwise practice veterinary medicine. The board may adopt rules under IC 4-22-2 that establish prerequisites or conditions for the reactivation of an inactive license or registration. *As added by Acts 1979, P.L.146, SEC.1. Amended by P.L.71-2000, SEC.6.*

IC 15-5-1.1-20

Repealed

(Repealed by P.L.169-1985, SEC.97.)

IC 15-5-1.1-20.1

Repealed

(Repealed by P.L.169-1985, SEC.97.)

IC 15-5-1.1-20.2

Fees

Sec. 20.2. The board shall establish by rule under IC 25-1-8 fees sufficient to implement this chapter. The fees established under this section shall be charged and collected by the bureau.

As added by P.L.169-1985, SEC.14.

IC 15-5-1.1-21

Repealed

(Repealed by P.L.169-1985, SEC.97.)

IC 15-5-1.1-22

Repealed

(Repealed by Acts 1981, P.L.222, SEC.296.)

IC 15-5-1.1-22.1

Repealed

(Repealed by P.L.152-1988, SEC.30.)

IC 15-5-1.1-23

Discipline of registered veterinary technicians

Sec. 23. Upon written complaint sworn to by any individual, the board may, by the concurrence of four (4) members, after a hearing and based upon findings of fact, discipline a registered veterinary technician by revoking or suspending the technician's registration for a time certain, placing the technician on probation, or by any other appropriate means for any of the following reasons:

- (1) The use of fraud, misrepresentation, or deception in obtaining a registration.
- (2) Chronic inebriety, or the unlawful use of a controlled substance.
- (3) The use of advertising or solicitation which is false or misleading or is otherwise deemed unprofessional under rules promulgated by the board.
- (4) Conviction of or a plea of guilty to the charge of a felony or misdemeanor involving moral turpitude.
- (5) Incompetence, gross negligence, or malpractice in performing as a registered veterinary technician.
- (6) Cruelty to animals.
- (7) Representing the technician as a veterinarian.
- (8) Disciplinary action taken against the technician's registration by the board or by the licensing agency of any other state or jurisdiction by reason of the technician's inability to practice safely as a registered veterinary technician, if the reason is valid in the opinion of the board.

As added by Acts 1979, P.L.146, SEC.1. Amended by P.L.169-1985, SEC.16; P.L.71-2000, SEC.7.

IC 15-5-1.1-24

Repealed

(Repealed by P.L.149-1987, SEC.120.)

IC 15-5-1.1-25

Identification of registered veterinary technicians

Sec. 25. (a) During working hours or when actively performing the technician's duties, a registered veterinary technician must wear a unique mark of identification on the technician's clothing approved

by the board that identifies the technician as a registered veterinary technician.

(b) A registered veterinary technician may use the title "registered veterinary technician" or the abbreviation "R.V.T.".

(c) No individual, other than a registered veterinary technician may advertise or offer the individual's services in a manner calculated to lead others to believe that the individual is a trained veterinary technician or a registered veterinary technician.

As added by Acts 1979, P.L.146, SEC.1. Amended by P.L.71-2000, SEC.8.

IC 15-5-1.1-26

Restrictions on registered veterinary technicians

Sec. 26. A registered veterinary technician may not diagnose, prognose, prescribe medical or surgical treatment, or perform as a surgeon. However, the technician may perform routine procedures defined by board rules while under the direct supervision of a licensed veterinarian who shall be responsible for the technician's performance.

As added by Acts 1979, P.L.146, SEC.1. Amended by P.L.71-2000, SEC.9.

IC 15-5-1.1-27

Direct supervision of veterinary employees

Sec. 27. A licensed veterinarian who is required to directly supervise an employee must be present within the veterinarian's usual practice area, able to communicate directly with the employee at all times that the employee is performing animal health care, and prepared to personally assume treatment, if necessary for the welfare of the animal. Direct communication may be verbal, by telephone, or by two-way radio. Such instructions must be recorded by the employee and repeated by the employee to the employee's supervising licensed veterinarian.

As added by Acts 1979, P.L.146, SEC.1. Amended by P.L.71-2000, SEC.10.

IC 15-5-1.1-28

Display of certificates

Sec. 28. The holder of a license or special permit to practice veterinary medicine or of a registration or special permit to act as a veterinary technician, must display the certificate of license, registration, or special permit in such a manner as to be visible and readable by persons in the office of the veterinarian.

As added by Acts 1979, P.L.146, SEC.1. Amended by P.L.71-2000, SEC.11.

IC 15-5-1.1-29

Prescriptions

Sec. 29. A licensed veterinarian may write prescriptions, and the prescriptions shall be given the same recognition by druggists and

pharmacists as they give the prescriptions of persons holding an unlimited license to practice medicine or osteopathic medicine.

As added by Acts 1979, P.L.146, SEC.1. Amended by P.L.71-2000, SEC.12.

IC 15-5-1.1-30

Emergencies

Sec. 30. Notwithstanding any other provision in this chapter, in an emergency, in the absence of the licensed veterinarian employer, an employee may perform the duties it is lawful for the employee to perform under the direct supervision of a licensed veterinarian in accordance with the rules of the board and the written authority of the licensed veterinary employer.

As added by Acts 1979, P.L.146, SEC.1. Amended by P.L.71-2000, SEC.13.

IC 15-5-1.1-31

Good Samaritan deeds

Sec. 31. A licensed veterinarian or a registered veterinary technician who on the veterinarian's or technician's own initiative gives emergency treatment to a sick or injured animal is not liable in damages to the owner of such animal in the absence of gross negligence. If a licensed veterinarian performs euthanasia on the animal, there is a presumption that such was a humane act, necessary to relieve it of pain and suffering.

As added by Acts 1979, P.L.146, SEC.1. Amended by P.L.71-2000, SEC.14.

IC 15-5-1.1-32

Repealed

(Repealed by P.L.4-1998, SEC.15.)

IC 15-5-1.1-33

Abandoned animals

Sec. 33. (a) An animal placed in the custody of a veterinarian shall be considered to be abandoned five (5) days after the veterinarian has given written notice to the individual who delivered the animal to the veterinarian that the animal should be reclaimed by the individual. Such written notice shall be delivered to the place given by the individual as the individual's mailing address at the time the individual delivered the animal to the veterinarian.

(b) Abandonment of an animal under this section constitutes the relinquishment of all rights and claims by the owner of the animal and it may be sold or otherwise disposed of as the veterinarian may see fit and the purchaser or donee of the animal shall receive full and clear title to the animal.

(c) The giving of notice as provided in this section relieves the veterinarian and all persons who receive such an animal from the veterinarian of criminal or civil liability.

(d) The individual who delivered an animal abandoned under this

section is liable for all reasonable and customary expenses incurred for diagnosis, treatment, hospitalization, surgery, board, euthanasia, and disposal of the abandoned animal.

As added by Acts 1979, P.L.146, SEC.1. Amended by P.L.71-2000, SEC.15.

IC 15-5-1.1-34

Offenses; veterinarian

Sec. 34. A person who knowingly:

- (1) practices veterinary medicine in this state without a license or special permit to practice veterinary medicine issued by the board; or
- (2) supplies false information on an application for a license as a veterinarian;

commits a Class B misdemeanor.

As added by Acts 1979, P.L.146, SEC.1. Amended by P.L.71-2000, SEC.16.

IC 15-5-1.1-35

Offenses; veterinary technician

Sec. 35. A person who knowingly:

- (1) acts as a registered veterinary technician in this state without being registered as a veterinary technician with the board or having a special permit issued by the board; or
- (2) supplies false information on an application for registration as a veterinary technician;

commits a Class B misdemeanor.

As added by Acts 1979, P.L.146, SEC.1. Amended by P.L.71-2000, SEC.17.

IC 15-5-1.1-36

Injunctions; unauthorized practice of veterinary medicine

Sec. 36. (a) If a person engages in the practice of veterinary medicine without a license or certificate issued under this chapter:

- (1) the attorney general;
- (2) a prosecuting attorney;
- (3) the board; or
- (4) a citizen;

may maintain an action in the name of the state to enjoin the person from engaging in the practice of veterinary medicine.

(b) In charging a person under subsection (a) in an affidavit, information, or indictment with a violation of this chapter, it is sufficient to charge that the person did, on a certain date and in a certain county, engage in the practice of veterinary medicine without a license or permit issued under this chapter.

As added by P.L.48-1991, SEC.9.